

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROSALINDA O CARINO,

Plaintiff(s),

v.

A.B. FONTOURA, NJ Essex County Sheriff,

Defendant(s).

Case No.: 2:20-cv-01863-APG-NJK

ORDER

Plaintiff is proceeding in this matter *pro se* and has submitted a document asking this Court to transfer her case from the District of New Jersey to this District. Docket No. 1-1. The Court construes Plaintiff's document as a motion to transfer venue pursuant to 28 U.S.C. § 1404(a). *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (quoting *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)) ("A document filed *pro se* is 'to be liberally construed[.]'"). Plaintiff has not paid the required filing fee, requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*, or filed a complaint. *See* Docket.

A motion to transfer venue must be filed in the district court where the action was originally commenced. *See* 28 U.S.C. § 1404(a) ("For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district . . . where it might have been brought or to any district . . . to which all parties have consented."). Since Plaintiff seeks to transfer her case from the District of New Jersey to this District, she must file that request in the District of New Jersey, where her case is currently pending.

In addition, to the extent Plaintiff seeks to commence a new action in this Court, she must either pay the filing fee or file a fully complete application to proceed *in forma pauperis*.

Accordingly, **IT IS ORDERED:**

1. Plaintiff must file her request to transfer her case to this District in the District of New Jersey, where her case is currently pending.

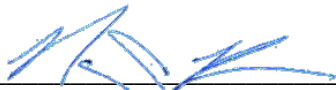
2. If Plaintiff seeks to commence a new action in this Court, she shall either make the necessary arrangements to pay the filing fee, accompanied by a copy of this order, or file a fully complete application to proceed *in forma pauperis*.

3. The Clerk of Court shall send Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled "Information and Instructions" for filing an *in forma pauperis* application.

4. If Plaintiff seeks to commence a new action in this Court, Plaintiff must comply with this order no later than November 6, 2020. Failure to comply will result in a recommendation to the District Judge that this matter be closed.

IT IS SO ORDERED.

Dated: October 7, 2020



Nancy J. Koppe
United States Magistrate Judge